

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Shirley *et al.*

Appl No.: 10/035,397

Confirmation No.: 3374

Filed: October 25, 2001

For: HSA-FREE FORMULATIONS OF INTERFERON-BETA



Box Missing Parts  
Commissioner for Patents  
Washington, DC 20231

RESPONSE TO NOTICE TO  
FILE MISSING PARTS OF APPLICATION

Sir:

In response to the Notice to File Missing Parts of Application dated January 28, 2002, enclosed are the following:

- ☒ Part 2 of Formalities Letter or Form PTO-1533  
(Notice to File Missing Parts of Application)
- ☒ Declaration for the above-identified application which has been executed by the named inventor(s)
- ☐ Applicant claims small entity status
- ☒ Check in the amount of \$130.00 to cover the surcharge under 37 C.F.R. § 1.16(e)
- ☐ English Translation and \$130.00 (37 CFR 1.17(k)) fee for filing late.
- ☒ Other: Submittal of Formal Drawings Cover Sheet (1 page); Substitute Drawings (23 Figures); Certificate Under 37 C.F.R. §3.73(b) (2 pages); and Power of Attorney for Application (1 page)

Any additional fee or credit may be charged to our Deposit Account No. 16-0605.

Respectfully submitted,

A handwritten signature in cursive script that reads "Leslie T. Henry".

Leslie T. Henry  
Registration No. 45,714

Customer No. 00826  
**ALSTON & BIRD LLP**  
Bank of America Plaza  
101 South Tryon Street, Suite 4000  
Charlotte, NC 28280-4000  
Tel Raleigh Office (919) 862-2200  
Fax Raleigh Office (919) 862-2260

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

Box Missing Parts, Commissioner for Patents, Washington, DC 20231, on March 27, 2002.

A handwritten signature in cursive script that reads "Lynda-Jo Pixley".  
Lynda-Jo Pixley



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/035,397	APR 11 2002	Bret A. Shirley	PP17201.003 (35784/240412)

Chiron Corporation  
Intellectual Property Department  
P.O. Box 8097  
Emeryville, CA 94662-8097

CONFIRMATION NO. 3374

## FORMALITIES LETTER



\*OC000000007393048\*

Date Mailed: 01/30/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

*A copy of this notice **MUST** be returned with the reply.*

04/12/2002 CCHAU1 00000106 10035397

01 FC:105

130.00 DP

DOCKETED on/by 3/11/02  
Atty. CAL PA  
File # PP17201.503  
Due Date 2/30/02 MP5  
File Date 8/30/02 MP5



Attorney's Docket No. PP17201.003 (35784/240412)

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re: Shirley *et al.*

Appl No.: 10/035,397

Confirmation No.: 3374

Filed: October 25, 2001

For: HSA-FREE FORMULATIONS OF INTERFERON-BETA

BOX MISSING PARTS  
Commissioner for Patents  
Washington, DC 20231

**SUBMITTAL OF FORMAL DRAWINGS**  
**37 CFR § 1.85(c)**

Sir:

In response to the requirement for new drawings as set forth in Notice to File Missing Parts in the above application, there is enclosed herewith one set (23 sheets) of new formal drawings. It is requested that these new drawings be substituted for the originally filed drawings.

Respectfully submitted,

Leslie T. Henry  
Registration No. 45,714

**Customer No. 00826**  
**ALSTON & BIRD LLP**  
Bank of America Plaza  
101 South Tryon Street, Suite 4000  
Charlotte, NC 28280-4000  
Tel Raleigh Office (919) 862-2200  
Fax Raleigh Office (919) 862-2260

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

Box Missing Parts, Commissioner for Patents, Washington, DC 20231, on March 27, 2002.

Lynda-Jo Pixley